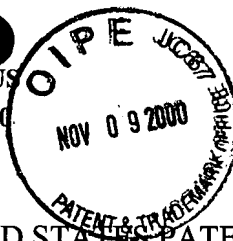


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CTI-N5 DIV12



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicants : Weiss *et al.*
Serial No. : 08/486,313
Filed : June 7, 1995
For : MULTIPOTENT NEURAL STEM CELL COMPOSITIONS
Examiner : A-M. Baker
Group Art Unit : 1632

NOV 16 2000

TECH CENTER 1600/2900

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Assistant Commissioner for Patents
Washington, D.C. 20231

Boston, Massachusetts
November 9, 2000

SUPPLEMENTAL RESPONSE AFTER FINAL

This paper is in further response to the October 12, 1999, Final Office Action as well as the May 4, 2000 Advisory Action in the above-identified application. Applicants submit herewith a Petition for a 5 Month Extension of Time and the appropriate fee under 37 C.F.R. §1.17(a)(5). Applicants believe that no additional fee is due with this response. However, should any additional fee be due, the Commissioner is hereby authorized to charge the same, or credit any overpayment, to Deposit Account No. 50-0311 (Reference 17810-705; CTI-N5 DIV12).

REMARKS

Claims 26, 27, 32-37, and 39-62 are pending in this application. These claims are directed to methods for transplanting CNS neural stem cell progeny to a host. The sole remaining rejection in this application is the rejection under 35 U.S.C. § 112, first paragraph for lack of enablement. While independent claims 26 and 52 (which recite methods of transplanting the neural stem cell progeny to a host) do not contain any limitations that recite a therapeutic benefit, according to the Examiner, "[t]he claims are not enabled because the transplantation of multipotent neural stem cell progeny into a host has not been demonstrated to provide any therapeutic benefit to the host." (October 12, 1999, Final Office Action at page 3).

Accordingly, while it is not necessary to demonstrate a therapeutic benefit, Applicants have, in fact, done so. Specifically, Applicants have provided evidence demonstrating that, after